

FEDERAL REGISTER

THE NATIONAL ARCHIVES
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1934

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Washington, Tuesday, January 13, 1948

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9921

AUTHORIZING THE PHILIPPINE ALIEN PROPERTY ADMINISTRATOR TO TRANSFER CERTAIN PROPERTY TO THE REPUBLIC OF THE PHILIPPINES

WHEREAS section 3 of the Philippine Property Act of 1946 (60 Stat. 418) provides that property vested or transferred under the Trading with the Enemy Act (40 Stat. 411) as amended, which was located in the Philippines at the time of such vesting, or the proceeds thereof, and which shall remain after the satisfaction of any claim payable under the Trading with the Enemy Act, as amended, and after the payment of such costs and expenses of administration as may by law be charged against such property or proceeds, shall be transferred by the President of the United States to the Republic of the Philippines; and

WHEREAS section 3 of the said Philippine Property Act further provides that such property, or proceeds thereof, may be transferred by the President of the United States to the Republic of the Philippines before final adjudication of such claims, costs, and expenses of administration as may by law be charged against such property, or proceeds thereof, upon indemnification acceptable to the President of the United States by the Republic of the Philippines for such claims, costs, and expenses of administration; and

WHEREAS the President of the Republic of the Philippines has given assurance, with respect to property, or proceeds thereof, which the United States may transfer to the Republic of the Philippines pursuant to section 3 of the Philippine Property Act of 1946, that the Republic of the Philippines will save harmless and indemnify the United States against all claims against such property, or proceeds thereof, as are payable under the Trading with the Enemy Act, as amended, and for such costs and expenses of administration of such property as are by law chargeable against the property, or proceeds thereof; and

WHEREAS such assurance of indemnification by the Republic of the Philippines is acceptable to the President of the United States; and

WHEREAS it appears administratively desirable that the Philippine Alien Property Administrator be authorized to act

on behalf of the President of the United States with respect to certain property which may be transferred to the Republic of the Philippines pursuant to section 3 of the Philippine Property Act of 1946:

NOW THEREFORE, by virtue of the authority vested in me by the said Trading with the Enemy Act (40 Stat. 411), as amended, and the said Philippine Property Act of 1946, and as President of the United States, it is hereby ordered as follows:

1. The Philippine Alien Property Administrator is authorized to transfer to the Republic of the Philippines in accordance with the provisions of section 3 of the Philippine Property Act of 1946, as soon as practicable after final payment of claims, costs, and expenses of administration, any property, or proceeds thereof, vested in or transferred to him pursuant to the Trading with the Enemy Act, as amended, and the Philippine Property Act of 1946.

2. The Philippine Alien Property Administrator is authorized to transfer to the Republic of the Philippines in accordance with the provisions of section 3 of the Philippine Property Act of 1946, prior to final adjudication of claims, costs, and expenses of administration when he deems it to be administratively feasible, and without further consideration for such transfer, property, or proceeds thereof, vested in or transferred to him pursuant to the Trading with the Enemy Act, as amended, and the Philippine Property Act of 1946, against which, in the judgment of the Administrator, no substantial claims, expenses, or costs of administration are likely to be chargeable.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 10, 1948.

[F. R. Doc. 48-403; Filed, Jan. 12, 1948;
10:53 a. m.]

TITLE 10—ARMY

Chapter VI—Organized Reserves

PART 602—RESERVE OFFICERS' TRAINING CORPS

MISCELLANEOUS AMENDMENTS

Sections 602.24, 602.25, 602.42 (b), and 602.48 (b) (10 CFR, Supps.) are re-

(Continued on next page)

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scinded and the following substituted therefor:

§ 602.24 *Selection of honor military schools.* (a) Based upon the results of the formal inspection, army commanders will forward annually to the Commanding General, Army Ground Forces, as soon as practicable, lists of the essentially military schools within their army areas which are recommended for designation as honor military schools.

(b) The Commanding General, Army Ground Forces, will designate a board of officers to examine and evaluate carefully the recommendations of the army commanders. Upon the completion of this evaluation, the board will recommend to the Secretary of the Army the award of the honor military school rating to those institutions which have maintained an exceptionally high standard of military training and discipline during that school year.

(c) Final approval for the awarding of the honor military school rating will be given by the Department of the Army and announced prior to the close of the school year, whenever possible.

§ 602.25 *Selection of honor high schools.* (a) Based on the results of the formal inspection, army commanders will designate annually as honor high schools such schools in their respective army areas as have attained an exceptionally high standard of training and discipline. In communities where two or more separate high schools are located, each school may be separately considered for the honor rating.

(b) The schools designated as honor high schools in each army area will not be announced by the army commander but will be reported to The Adjutant General annually as early as practicable after the conclusion of annual inspections. The Department of the Army will announce the awarding of the honor high-school rating prior to the close of the school year, whenever possible.

[Pars. 77 and 78, AR 145-10, May 28, 1931, as amended by Cir. 77, Dept. of the Army 1947] (Sec. 40, 39 Stat. 191, sec. 33, 41 Stat. 776; 10 U. S. C. 381)

§ 602.42 *Payments of commutation of subsistence to members of units, senior division.* * * *

(b) [Rescinded.]

§ 602.48 *Commutation in lieu of uniforms.* * * *

(b) *Annual allowance.* (1) The annual rates of commutation of subsistence and commutation in lieu of uniforms, allowed for Reserve Officers' Training Corps students, will be announced at the start of each fiscal year by the Secretary of the Army. The annual rates so prescribed will apply for the payment of commutation of subsistence to members of the advanced course, ROTC, and will apply for payment of commutation in lieu of uniforms in behalf of members of the basic course, senior division, ROTC, and in behalf of members of the junior division, ROTC, during that fiscal year.

(2) The annual rate of commutation in lieu of uniforms to be paid in behalf of members of the advanced course,

ROTC, will be announced at the start of each fiscal year by the Secretary of the Army. The annual rate so prescribed will apply as a specific amount to be paid at the beginning of the 2-year course to provide commutation for the advanced course in its entirety. Only the rate in effect at the time of enrollment in the advanced course will be paid to the institution or student. No adjustments will be made because of subsequent increases or decreases in the rate.

(3) In the case of a student who fails to complete the advanced course, senior division, ROTC, the stipulation set forth in paragraphs (c) (4) (5), and (6) of this section will apply with the proviso that the amount to be reimbursed to the Government of the unearned portion of commutation will be made on the basis of a pro rata share of the original amount paid by the Government in behalf of that student.

* * * * *

[Pars. 10c and 17b, AR 145-20, July 1, 1938, as amended by Cir. 77, Dept. of the Army, 1947] (Sec. 40, 39 Stat. 191, sec. 33, 41 Stat. 776; 10 U. S. C. 381)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-339; Filed, Jan. 12, 1948; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supplement 1]

PART 60—AIR TRAFFIC RULES

SEGMENTED CIRCLE AIRPORT MARKER SYSTEM

The following specifications relating to the Code of Federal Regulations, Title 14, Chapter I, Part 60, § 60.108 (a) (12 F. R. 5547, 5549) are hereby adopted:

§ 60.108 *Operation on and in the vicinity of an airport.* * * *

(a) * * *

(CAA Specifications)

The standard visual markers listed and explained below which appear on the following Civil Aeronautics Administration drawing No. 742 entitled "Segmented Circle Airport Marker System" are hereby approved.

A segmented circle, located off the traffic area, may be readily distinguished at a reasonable distance from a solid circle which is sometimes used to mark the center of the landing area. It is installed in a position affording maximum visibility to pilots in the air and on the ground and accessibility for ground operation. It helps the pilot to locate obscure airports and provides a centralized location for such indicators and signal devices as are required on a particular airport.

A conventional wind cone installed at the center of the segmented circle, as shown on the drawing, is used as a wind indicator.

A landing direction indicator installed as shown on the drawing points out to pilots in the air and on the ground the direction in which landings and takeoffs are to be made. It may be so designed that it will swing free when left unattended.

Landing strip indicators are used to show the orientation of landing strips and/or give a positive indication of the strip specified for

These specifications shall become effective upon publication in the FEDERAL REGISTER

In the form of a cross are used to signify that a field is temporarily closed to all traffic. Other indicators may be left in place

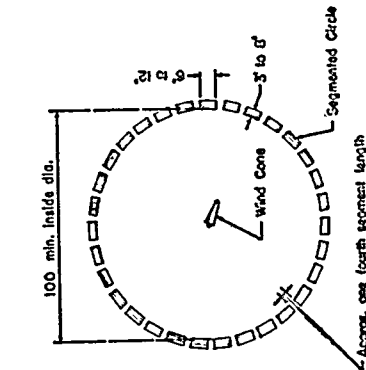
when there is any variation from the normal left hand pattern. They are arranged in pairs, in conjunction with landing strip indicators.

use by the landing direction indicator, as in the case of landing strips intersecting at very acute angles. They are arranged in pairs as shown on the drawing. Traffic pattern indicators are installed to control the direction of the traffic pattern

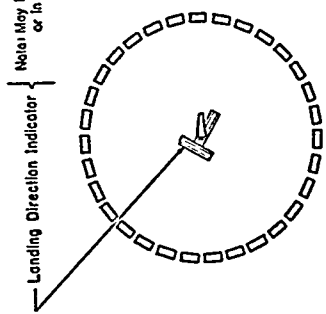
T. P. WRIGHT,
Administrator of Civil Aeronautics

SEGMENTED CIRCLE AIRPORT MARKER SYSTEM

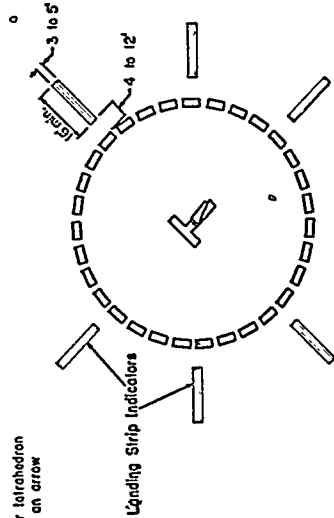
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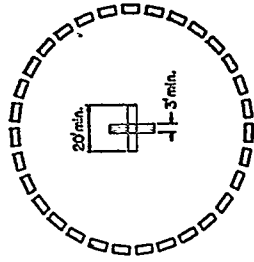
SEGMENTED CIRCLE MARKER
and
WIND DIRECTION INDICATOR



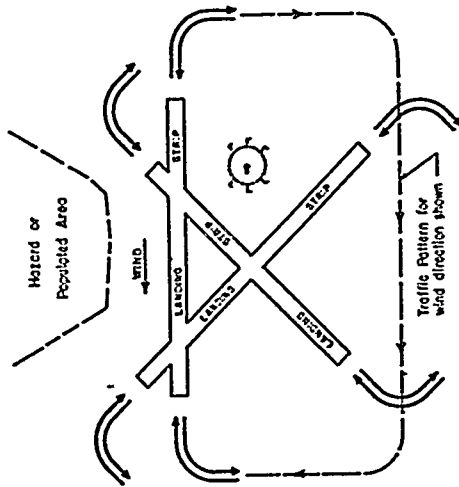
LANDING DIRECTION INDICATOR



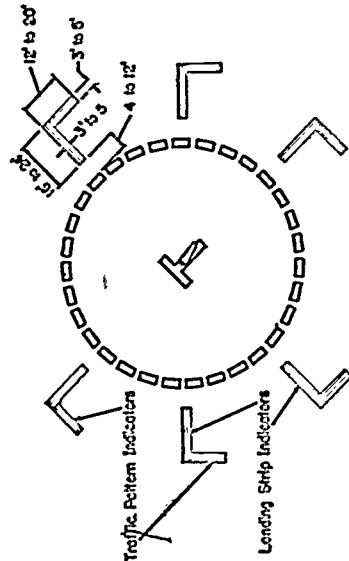
LANDING STRIP INDICATORS



CLOSED FIELD SIGNAL



APPLICATION OF TRAFFIC PATTERN INDICATORS
NOT TO SCALE



TRAFFIC PATTERN INDICATORS

GENERAL NOTES

1. All items shall be constructed of durable weatherproof material.
2. Color of material (natural or applied) shall provide an efficient contrast with area.
3. Various elements (except the wind cone) may be of any provided material that will simulate the design shown. They may be flat or of a type which will shed snow. Installation should be such that they will not be obscured by vegetation, flowing muddy water, sand, etc.

[F. B. Doc 48-326; Filed, Jan 12, 1948; 8:43 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration (Old-Age and Survivors Insurance), Federal Security Agency

[Reg. 3, Further Amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

FILING PROCEDURES

Section 403.701 (f) of Regulations No. 3, as amended (12 F. R. 583) is amended to read as follows:

§ 403.701 *Filing of applications and other forms.* * * *

(f) *Time of filing applications for benefits.* (1) An application for benefits will be accepted as an application for the purposes of this title if it is filed not more than three months prior to the first month for which the applicant could become entitled to such benefits. An application filed at any time after the first month for which the applicant could have been entitled to benefits will be accepted as an application for benefits for the purposes of this title, beginning with any of the three months immediately preceding the month in which it is filed, except that an application for primary insurance benefits filed prior to January 1, 1947, will not be accepted as an application, for the purposes of this title, for any month preceding the month in which it is filed.

(2) Except as otherwise provided herein, an application is considered to have been filed as of the date the application is received at an office of the Bureau or by an employee of the Administration authorized to receive it. An application shall be considered to have been received:

(i) Effective April 1, 1943, if the application is deposited in and transmitted by United States mail and the fixing of the date of delivery as the date of filing would result in a loss or impairment of benefit rights, as of the date of mailing. The date appearing on the postmark (when available and legible) shall be prima facie evidence of the date of mailing;

(ii) With respect to cases arising prior to August 27, 1946, only, if an applicant expressed to a representative of the Bureau an intention to file a claim and his failure to file a formal application at that time is detrimental to his benefit rights, and resulted from the failure of such Bureau representative properly to advise or inform him concerning the requirements of the act or the Administration's regulations thereunder as applied to the facts furnished by the applicant, or resulted from the action of such Bureau representative in informing him that an existing ruling precluded entitlement and subsequently such ruling was reversed, as of the date the applicant first expressed his intention to file, provided a formal application is filed and the applicant consents to such date as the date of receipt; and

(iii) If the application is for primary insurance benefits or for recomputation

of such benefits, in the case of a living wage earner (see § 403.304), and it is delivered to an office of the Bureau or to an employee of the Administration authorized to accept delivery thereof not more than three months before the first month for which the applicant becomes entitled, as of the date, not later than the third month following the month of delivery, which will result in entitlement to the greatest primary insurance benefits, and which will not cause the loss of benefits for any month.

An application for benefits beginning with a month other than the month in which the application is filed shall, for the purpose of determining whether the conditions of eligibility have been satisfied, have the same effect as though it had been filed in such other month.

Example 1: H is entitled to primary insurance benefits. W, his wife, will be 65 in May 1940, which is the first month for which she could, upon filing application, become entitled to wife's insurance benefits. If she files her application prior to February, it will be of no force and effect because filed more than three months prior to the first month for which she could become entitled.

Example 2: H is entitled to primary insurance benefits. W, his wife, will be 65 in May 1940. If she files her application in June, July, or August, she may become entitled to wife's insurance benefits beginning with May, but if she files in September, June is the first month for which she could become entitled.

If W is living with H in May, she will be entitled to benefits beginning with that month if she files application in June, July, or August, even though she is not living with H in the month in which she files. For the purpose of determining whether she has met the conditions of entitlement, her application will have the same effect as though it had been filed in May. Likewise, if she is living with H in June she will be entitled to benefits beginning with that month if she files application in July, August, or September, even though she is not living with him in the month in which she files.

Example 3: A, who attained age 65 on June 10, mails an application for primary insurance benefits, which is postmarked June 29, and is delivered at an office of the Bureau on July 1. If July 1 were fixed as the filing date the amount of A's benefit would be decreased from \$28.55 to \$27.80. The filing date is, therefore, considered to be June 29. Whether or not A worked for wages of more than \$14.99 in June and whether his benefit would thus be subject to a deduction (see § 403.503 (a)) is immaterial, since in either event he would lose a month's benefit if July 1 were considered as the filing date.

Example 4: A's application for primary insurance benefits is delivered to the Bureau on March 3, 1947. He states he has worked for wages of more than \$14.99 in December 1946, January, February, and March 1947. His primary insurance benefit computed as of March 1947 is \$32.72. If April 1, 1947, is considered the filing date, the primary insurance benefit will amount to \$33.48. Since the wage earner cannot become eligible for a March benefit (see § 403.503 (a)), his application will be considered to have been filed as of April 1, 1947. If the wage earner had not worked for wages of \$14.99 in March, his application would have been considered filed as of March 3, 1947, so that he might obtain a benefit for March.

If the application delivered to the Bureau on March 3, 1947, was for recomputation of the wage earner's benefit and it appears that a filing date subsequent thereto and prior to July 1, 1947, would permit the inclusion of

another increment year or otherwise raise the average monthly wage, the application will be considered to have been filed as of whichever date before July 1, 1947, will result in the greatest primary insurance benefits, provided there is no loss of any increase in benefits for any prior month.

(Sec. 1102, 49 Stat. 647, sec. 205 (a) 53 Stat. 1368; 42 U. S. C. 405 (a), 1302; sec. 4, Reorganization Plan No. 2 of 1946, 60 Stat. 1095; 45 CFR, 1946 Supp., 1.21)

Dated: January 7, 1948.

[SEAL] A. J. ALTMAYER,
Commissioner for Social Security.

Approved: January 8, 1948.

OSCAR R. EWING,
Federal Security Administrator

[F. R. Doc. 48-343; Filed, Jan. 12, 1948;
8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

BRONX RIVER, NEW YORK, N. Y.

Section 203.154 is hereby prescribed to govern the operation of the New York, New Haven and Hartford Railroad Company bridge across the Bronx River, north of Westchester Avenue, Borough of The Bronx, New York, New York:

§ 203.154 *Bronx River New York, N. Y., New York, New Haven and Hartford Railroad Company bridge north of Westchester Avenue, Borough of The Bronx.*

(a) The owner of or agency controlling this bridge will not be required to keep a draw tender in constant attendance.

(b) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw, at least 24 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge.

(c) Upon receipt of such advance notice, the authorized representative, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can be read easily at any time, a copy of this section together with a notice stating exactly how the representative specified in paragraph (b) of this section may be reached.

(e) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation. [Regs. Dec. 19, 1947, CE 823]

(Bronx River—New York, N. Y.)—
ENGWR] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-328; Filed, Jan. 12, 1948;
8:48 a. m.]

PART 203—BRIDGE REGULATIONS

BLACK RIVER AT LA CROSSE, WIS.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.556 (33 CFR, Supps.) governing the operation of bridges across the Mississippi River and its navigable tributaries and outlets where constant attendance of draw tenders is not required is hereby amended by adding to paragraph (f) thereof a subparagraph relating to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company bridge across the Black River at La Crosse, Wisconsin, as follows:

§ 203.556 *Mississippi River and its navigable tributaries and outlets; bridges where constant attendance of draw tenders is not required.* * * *

(f) The bridge to which this section applies, and the advance notice required in each case, are as follows:

Black River, Wis., Chicago, Milwaukee, St. Paul and Pacific Railroad Company bridge at La Crosse, Wis. (At least two hours' advance notice required.)

[Regs. Dec. 12, 1947, 823 (Black River—
La Crosse, Wis.—Mile 1)—ENGWR]
(28 Stat. 362; 33 U. S. C. 499)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-338; Filed, Jan. 12, 1948;
8:50 a. m.]

TITLE 49—TRANSPORTATION
AND RAILROADS

Chapter I—Interstate Commerce
Commission

[Rev. S. O. 798, Amdt. 4]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON PRIVATELY OWNED
TANK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of January A. D. 1948.

Upon further consideration of Revised Service Order No. 798 (12 F. R. 8461) as amended (12 F. R. 8792) and good cause appearing therefor: It is ordered, that:

Section 95.798 *Demurrage charges on privately owned tank cars* of Revised Service Order No. 798, be, and it is hereby, amended by substituting the following Exception 1 in lieu of Exception 1, paragraph (b) thereof:

Exception 1. No provision of this order is applicable to tank cars designated "IP" or "TPI" when loaded with Anhydrous Hydrofluoric Acid, Carbon Dioxide, Chlorine, Ethyl Chloride, Ethylene Oxide, Metallic Sodium, Methyl Chloride, Sulphur Dioxide or Motor Fuel Anti-knock Compound; or designated "TMI" when loaded with liquid rubber latex; nor to tank cars stencilled or signboarded "not air-tight or liquid-tight" and such cars are unsuitable for transporting liquids or gases; nor to tank cars loaded with white or yellow phosphorous.

It is further ordered, that this amendment shall become effective at 7:00 a. m., January 7, 1948; that a copy of this order and direction be served upon the State railroad regulatory bodies of each State and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-334; Filed, Jan. 12, 1948;
8:50 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946; 11 F. R. 11981.

[Vesting Order 10272]

FREDERICK BRUNJE

In re: Estate of Frederick Brunje, deceased. File No. D-28-8863; E. T. sec. 10968.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johann Brunje, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the sum of \$1,342.65 was paid to the Alien Property Custodian by Henry Ruschmeyer, Executor of the Estate of Frederick Brunje, deceased;

3. That the said sum of \$1,342.65 was accepted by the Attorney General of the United States on August 13, 1947, pursuant to the Trading with the Enemy Act, as amended;

4. That the sum of \$1,342.65 is presently in the possession of the Attorney

General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-345; Filed, Jan. 12, 1948;
8:45 a. m.]

[Vesting Order 10273]

CARL FINKEL ET AL.

In re: Debt owing to Carl Finkel, et al. File F-28-9705.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Finkel, Helen Finkel, Emil Ernest Finkel and Maria Neumann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of Fidelity and Deposit Company of Maryland, Baltimore, Maryland, in the amount of \$625.00 and any and all accruals thereto evidenced by a Final Judgment entered in July 1947 by the District

Court of the United States for the Southern District of Florida, Jacksonville Division, in the action entitled Fred P. Cone etc. vs. Fidelity and Deposit Company of Maryland, 882 J. Equity, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and all other rights in, to and under the aforementioned judgment,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-346; Filed, Jan. 12, 1948;
8:45 a. m.]

[Vesting Order 10367]

ALLGEMEINE WAREN-FINANZIERUNGS
G. M. B. H.

In re: Debts or other obligations owing to and other property owned by Allgemeine Waren-Finanzierungs-Gesellschaft m. b. H. F-28-747-E-1, F-28-747-E-2, F-28-747-A-2, F-28-747-A-4, F-28-747-A-5.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Allgemeine Waren-Finanzierungs-Gesellschaft m. b. H., the last known address of which is Schliessfach 12, Berlin W56, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 3389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Allgemeine Waren-Finanzierungs-Gesellschaft m. b. H., by The New York Trust Company, 100 Broadway, New York, New York, arising out of a checking account entitled Allgemeine Waren-Finanzierungs-Gesellschaft m. b. H., and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Allgemeine Waren-Finanzierungs-Gesellschaft m. b. H., by The Public National Bank & Trust Company of New York, 37 Broad Street, New York 15, New York, arising out of a checking account entitled Allgemeine Warenfinanzierungs G. m. b. H., and any and all rights to demand, enforce and collect the same,

c. One (1) Associated Gas & Electric Company scrip certificate, for twenty five-one hundredths (25/100ths) shares of \$1.00 par value Class A stock of 1929, bearing the number 6801, registered in the name of Hurley & Co., c/o The National City Bank of New York, 55 Wall Street, New York, New York, which scrip certificate is presently in the custody of the Swiss American Corporation, 30 Pine Street, New York 5, New York, together with any and all rights thereunder and thereto,

d. Thirty-two (32) shares of \$1.00 par value Class A stock of Central Public Utility Corporation, 100 West 10th Street, Wilmington, Delaware, a corporation organized under the laws of the State of Delaware, evidenced by certificate number 27519, registered in the name of Egger & Co., c/o The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, and presently in the custody of the Swiss American Corporation, 30 Pine Street, New York 5, New York, together with all declared and unpaid dividends thereon,

e. Forty (40) shares of \$100.00 par value common stock of Western Maryland Railway Company, Standard Oil Building, Baltimore, Maryland, a corporation organized under the laws of the States of Maryland and Pennsylvania, evidenced by certificate number 45795, registered in the name of Hurley & Co., c/o The National City Bank of New York, 55 Wall Street, New York, New York, and presently in the custody of the Swiss American Corporation, 30 Pine Street, New York 5, New York, together with all declared and unpaid dividends thereon,

f. That certain debt or other obligation of Swiss American Corporation, 30 Pine Street, New York 5, New York, in the amount of \$4,154.34, as of December 31, 1945, arising out of a custody cash account, entitled Allgemeine Waren-Finanzierungs-Gesellschaft M. B. H., together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

g. That certain debt or other obligation of Guaranty Trust Company, 140 Broadway, New York 15, New York, in the amount of \$7.61, as of December 31, 1945, arising out of a temporary custody cash account, entitled Allgemeine Waren-Finanzierungs Gesellschaft, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

h. Three and thirteen - fortieths (31 $\frac{13}{40}$ ths) shares of stock of Realty Cor-

poration, a corporation organized under the laws of the State of New York, issue number 159, evidenced by certificate number 148; registered in the name of Vincent Nolt, and presently in the custody of the Federal Reserve Bank of New York, 33 Liberty Street, New York, New York, and held by it for the account of the Secretary of the Treasury of the United States, together with all declared and unpaid dividends thereon,

i. Three (3) Chilean Consolidated Municipal Loan 31-year 7% Series A External Sinking Fund Gold bonds, dated September 1, 1929, due September 1, 1960, numbered and of the face values as follows:

No..	Face value
380 -----	\$1,000.00
381 -----	1,000.00
109 -----	500.00

which bonds are presently in the custody of the Federal Reserve Bank of New York, 33 Liberty Street, New York, New York, and held by it for the account of the Secretary of the Treasury of the United States, together with any and all rights thereunder and thereto, and

j. Two (2) Norddeutscher Lloyd coupons, of \$20.00 face value each, numbered 6912 and 6913, detached from a Sinking Fund bond of 1933, said bond bearing due date November 1, 1947, which coupons are presently in the custody of the Federal Reserve Bank of New York, 33 Liberty Street, New York, New York, and held by it for the account of the Secretary of the Treasury of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-350; Filed, Jan. 12, 1948;
8:45 a. m.]

[Vesting Order 10374]

PAUL EVERS ET AL.

In re: Stock owned by personal representatives, heirs, next of kin, legatees and distributees of Paul Evers, deceased, and others. F-28-23692-D-1, F-28-23694-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Paul Evers, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of Johann Schwendicke, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

2. That the property described as follows: Twenty (20) shares of \$100 par value preferred capital stock of The Atchison, Topeka and Santa Fe Railway Company, 120 Broadway, New York, New York, a corporation organized under the laws of the State of Kansas, evidenced by the certificate whose numbers are listed below, registered in the names listed below in the amounts set forth opposite said names, as follows:

Certificate No.	Name in which registered	Number of shares
X128307-----	Paul Evers (deceased)-----	10
X159396-----	Johann Schwendicke (deceased).	10

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees and distributees of Paul Evers, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of Johann Schwendicke, deceased, the aforesaid nationals of a designated enemy country (Germany) and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-351; Filed, Jan. 12, 1948;
8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-158]

ACCIDENT NEAR YAKUTAT, ALASKA

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States registry NC-95486 which occurred near Yakutat, Alaska, on November 27, 1947.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be reconvened on Thursday, January 15, 1948, at 9:00 a. m. (local time) at the American Legion Hall, Anchorage, Alaska.

Dated at Washington, D. C., January 7, 1948.

[SEAL] RUSSELL A. POTTER,
Presiding Officer.

[F. R. Doc. 48-342; Filed, Jan. 12, 1948;
8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket G-969]

HOME GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDER ISSUING
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY AND APPROVING ABANDONMENT
AND RETIREMENT OF FACILITIES

JANUARY 8, 1948.

In the matter of Home Gas Company, The Manufacturers Light and Heat Company, and Cumberland and Allegheny Gas Company, Docket No. G-969.

Notice is hereby given that, on January 7, 1948, the Federal Power Commission issued its findings and order entered January 6, 1948, issuing certificate of public convenience and necessity and approving abandonment and retirement of facilities in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-335; Filed, Jan. 12, 1948;
8:50 a. m.]

[Project No. 82]

ALABAMA POWER CO.

NOTICE OF ORDER AUTHORIZING AMENDMENT
OF LICENSE (MAJOR)

JANUARY 8, 1948.

Notice is hereby given that, on January 7, 1948, the Federal Power Commission issued its order entered January 6, 1948, authorizing amendment of license (major) in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-336; Filed, Jan. 12, 1948;
8:50 a. m.]

[Project No. 1267]

GREENWOOD COUNTY

NOTICE OF ORDER DENYING APPLICATION FOR
EXEMPTION FROM PAYMENT OF ANNUAL
CHARGES

JANUARY 8, 1948.

Notice is hereby given that, on January 7, 1948, the Federal Power Commission issued its order entered January 6, 1948, denying application for exemption from payment of annual charges for the year ending December 31, 1946 in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-337; Filed, Jan. 12, 1948;
8:50 a. m.]

INTERSTATE COMMERCE
COMMISSION

[S. O. 790, Special Directive 37]

CHICAGO, BURLINGTON & QUINCY RAIL-
ROAD CO. TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

On January 6, 1948, the Fort Dodge, Des Moines & Southern Railway Company has certified that it has on that date in storage and in cars a total supply of 3 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, the Chicago, Burlington & Quincy Railroad Company is directed:

(1) To furnish weekly to Dunreath Coal Co. mine, Busse, Iowa, a total of 14 flat bottom gondola cars for the loading of F&D M&S Ry. fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing on cars furnished for loading under the provisions of this directive unless billed for Fort Dodge, Des Moines & Southern Railway Company fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon the Chicago, Burlington & Quincy Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. O., and by filing it with the

Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of January A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-333; Filed, Jan. 12, 1948;
8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 59-11, 59-17, 54-25]

UNITED LIGHT AND RAILWAYS CO. ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 6th day of January A. D. 1948.

In the matter of The United Light and Railways Company; American Light & Traction Company, et al., File Nos. 59-11, 59-17 and 54-25.

American Light & Traction Company ("American Light") a registered holding company, having filed a supplemental application-declaration under the Public Utility Holding Company Act of 1935 ("Act") setting forth the terms and conditions under which it proposed to sell, pursuant to the public bidding requirements of Rule U-50 promulgated under the Act, 450,000 shares of common stock of The Detroit Edison Company ("Detroit Edison") and

The Commission by order dated December 29, 1947 having granted and permitted to become effective said supplemental application-declaration subject to the condition that the proposed sale of common stock not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in the proceeding and a further order has been entered by the Commission in the light of the record so completed, jurisdiction being reserved for this purpose; and

American Light having filed an amendment to its supplemental application-declaration in which it is stated that in accordance with the Order of the Commission dated December 29, 1947 it has offered said common stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

	Price to company
The First Boston Corp.-----	\$19.06
Coffin & Burr Inc., and Spencer Trask & Co.-----	18.82

The amendment further stating that American Light has accepted the bid of The First Boston Corporation for the stock, and that the purchasers propose to offer the stock to the public at \$20.50 per share resulting in an underwriting spread of \$1.44 per share which is equal to 7.56% of the price to the company and 7.02% of the public offering price; and

The fees of independent counsel for the bidders, Chadburne, Hunt, Jaekel

and Brown estimated at \$12,500 to be paid by the successful bidder and the estimated fees and expenses of American Light aggregating \$67,000, including printing of \$20,000, payroll, telephone, telegraph and traveling \$15,875, counsel fees \$25,000 (payable \$10,000 to Sullivan and Cromwell, counsel for Detroit Edison, \$2,500 to Fischer, Brown, Sprague, Franklin and Ford, local counsel for Detroit Edison, and \$12,500 to Sidley, Austin, Burgess and Harper, counsel for American Light) appearing not unreasonable; and

The Commission having examined and considered the record herein, and finding that the applicable standards of the act and the rules and regulations thereunder have been complied with, and observing no basis for imposing terms and conditions with respect to the price to be paid for said stock or the underwriters spread and the allocation thereof;

It is ordered, That, subject to the terms and conditions prescribed by Rule U-24, jurisdiction heretofore reserved with respect to the results of competitive bidding be, and the same hereby is, released and the application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith; and

It is further ordered, That the following transactions are necessary or appropriate to the integration or simplification of the holding company system of which American Light is a member, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act:

1. The sale and transfer by American Light of 450,000 shares of Capital Stock of Detroit Edison at the price of \$19.06 per share.

2. The expenditure by American Light of the entire net cash proceeds to be received from the above-mentioned sale of Capital Stock of Detroit Edison, in the amount of \$8,577,000, or of other funds not in excess of such proceeds, in the purchase of 45,771 shares of the common stock of Michigan-Wisconsin Pipe Line Company at the par value of \$100 per share and 285,714 shares of the common stock of Michigan Consolidated Gas Company at the par value of \$14 per share.

By the Commission.

[SEAL] Nellye A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-327; Filed, Jan. 12, 1948;
8:46 a. m.]

[File No. 70-1717]

NORTHERN BERKSHIRE GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 6th day of January A. D. 1948.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Northern Berkshire Gas Company ("Northern Berkshire") a subsidiary of New England Electric System, a registered holding

company. Declarant has designated section 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than January 14, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 14, 1948, said declaration, as filed, or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file with this Commission for a statement of the transaction therein proposed which is summarized as follows:

Northern Berkshire proposes from time to time (but in any case within one year from the effective date of its declaration) to borrow from one or more banks or trust companies named in its declaration an aggregate amount not to exceed \$525,000 to be evidenced by unsecured promissory notes with a maturity of not more than one year from their respective dates. Northern Berkshire states in its declaration that the proposed notes will bear interest, to be discounted, at the prevailing rates for such notes, but not to exceed an effective rate of interest of 2% per annum, and that the proceeds derived from said loans will be used to temporarily finance its construction program through December 31, 1948, and to retire its presently outstanding notes in the amount of \$275,000. The declaration further states that it is understood and agreed to by Northern Berkshire that the authorization to borrow, pursuant to an order of this Commission, will not be effective after the consummation of its anticipated permanent financing, which results in proceeds sufficient to retire all notes then issued and outstanding pursuant to such authorization. It is represented that the proposed borrowings are not subject to the jurisdiction of any State or Federal Commission other than this Commission, and that no fees, commissions or other remunerations are involved except with respect to incidental services in connection with the proposed borrowings, the cost of which is estimated not to exceed \$500. Northern Berkshire has requested acceleration of the Commission's action on its declaration and has requested that the Commission issue its order permitting the declaration to become effective prior to January 15, 1948.

By the Commission.

[SEAL] Nellye A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-325; Filed, Jan. 12, 1948;
8:46 a. m.]